

§ 17.97 Prescriptions in Alaska, and territories and possessions.

In Alaska and territories and possessions, where there are no Department of Veterans Affairs pharmacies, the expenses of any prescriptions filled by a private pharmacist which otherwise could have been filled by a Department of Veterans Affairs pharmacy under 38 U.S.C. 1712(h), may be reimbursed.

[32 FR 13816, Oct. 4, 1967. Redesignated and amended at 61 FR 21965, 21967, May 13, 1996]

§ 17.98 Mental health services.

(a) Following the death of a veteran, bereavement counseling involving services defined in 38 U.S.C. 1701(6)(B), may be furnished to persons who were receiving mental health services in connection with treatment of the veteran under 38 U.S.C. 1710, 1712, 1712A, 1713, or 1717, or 38 CFR 17.84 of this part, prior to the veteran's death, but may only be furnished in instances where the veteran's death had been unexpected or occurred while the veteran was participating in a VA hospice or similar program. Bereavement counseling may be provided only to assist individuals with the emotional and psychological stress accompanying the veteran's death, and only for a limited period of time, as determined by the Medical Center Director, but not to exceed 60 days. The Medical Center Director may approve a longer period of time when medically indicated.

(b) For purposes of paragraph (a) of this section, an unexpected death is one which occurs when in the course of an illness the provider of care did not or could not have anticipated the timing of the death. Ordinarily, the provider of care can anticipate the patient's death and can inform the patient and family of the immediacy and certainty of death. If that has not taken place, a death can be described as unexpected.

(Authority: 38 U.S.C. 1701(6)(B))

[53 FR 7186, Mar. 7, 1988. Redesignated and amended at 61 FR 21965, 21967, May 13, 1996]

§ 17.99 Priorities for medical services.

Unless compelling medical reasons indicate otherwise, eligible veterans shall be furnished outpatient medical

services on a priority basis in the following order:

(a) To any veteran for a service-connected disability.

(b) To any veteran with a service-connected disability, rated at 50 percent or more.

(c) To any veteran with a disability rated as service-connected, including any veteran being examined to determine the existence or rating of a service-connected disability.

(Authority: Pub. L. 96-22, sec. 101)

(d) To any veteran who is a former prisoner of war or to any veteran eligible for treatment for conditions which may have resulted from exposure to dioxin or toxic substances or ionizing radiation.

(Authority: Pub. L. 97-37, sec. 5(c); Pub. L. 97-72, sec. 102(b))

(e) To any veteran eligible under the provisions of § 17.60(i).

(Authority: 38 U.S.C. 1712 (i))

(f) To any veteran who is in receipt of pension under 38 U.S.C. 1521.

(g) To any other nonservice-connected veteran deemed unable to defray the expenses of necessary care as determined by § 17.48(d)(1).

(h) To any nonservice-connected veteran deemed unable to defray the expenses of necessary care as determined by § 17.48(d)(2).

(i) To any nonservice-connected veteran eligible for VA hospital care under § 17.47(d) if the veteran agrees to pay the United States an amount as determined by § 17.48(e).

(Authority: 38 U.S.C. 1712; sec. 19011, Pub. L. 99-272)

[47 FR 58249, Dec. 30, 1982, as amended at 51 FR 25068, July 10, 1986. Redesignated at 61 FR 21965, May 13, 1996]

BREAKING APPOINTMENTS**§ 17.100 Refusal of treatment by unnecessarily breaking appointments.**

A patient under medical treatment who breaks an appointment without a reasonable excuse will be informed that breaking an additional appointment will be deemed to be a refusal to accept VA treatment. If such a patient fails to keep a second appointment, without at least 24 hours notice, such